

HOUSE JOINT RESOLUTION 1259

By Cooper B

A RESOLUTION to urge the Tennessee Board of Claims to increase the compensation of Clark McMillan, who was wrongly incarcerated for twenty-two years.

WHEREAS, Clark McMillan was wrongly incarcerated for twenty-two years for a rape he did not commit; and

WHEREAS, DNA evidence conclusively proved he was not the perpetrator of the vicious crime of which he was accused; and

WHEREAS, in 2004 the Tennessee Board of Claims approved a compensation package for Mr. McMillan for his wrongful imprisonment; and

WHEREAS, since Mr. McMillan received his compensation package, his wife lost her job, and both she and Mr. McMillan have developed severe health issues; and

WHEREAS, Mr. McMillan's health problems were worsened by prison treatment and conditions he endured, leaving him permanently disabled and in great pain; and

WHEREAS, Mr. and Mrs. McMillan are being overwhelmed by health expenses; and

WHEREAS, Mr. McMillan needs to have control over the compensation awarded him and to make the financial decisions necessary for his family's well-being; and

WHEREAS, the Tennessee Board of Claims awarded Mr. McMillan a lump sum payment plus a monthly annuity; and

WHEREAS, the monthly annuity is insufficient to provide for the McMillan's monthly living expenses, especially considering the extraordinary health costs they endure; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FIFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE

CONCURRING, that this General Assembly hereby urges the Tennessee Board of Claims to review the compensation package awarded to Mr. Clark McMillan.

BE IT FURTHER RESOLVED, that we further urge the Tennessee Board of Claims to work with the Bureau of TennCare in the Department of Finance and Administration to ensure that Mr. McMillan and his wife are enrolled in TennCare and receive the benefits provided by such program.

BE IT FURTHER RESOLVED, that we further urge the Tennessee Board of Claims to increase annually any financial remuneration received by Mr. McMillan pursuant to its actions in an amount equal to the increase of the consumer price index (CPI).

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be transmitted to the commissioners of the Tennessee Board of Claims with this final clause omitted from such copy.